

IAF-14



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : C. Tsang
Group Art Unit : 1202
Applicants : Coates et al.
Serial No: : 07/835,964
Filed : February 20, 1992
For : 1,3-OXATHIOLANE NUCLEOSIDE ANALOGUES

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New York, New York
September 27, 1995

Hon. Assistant Commissioner
of Patents
Washington, D.C. 20231

RESPONSE UNDER 37 C.F.R. § 1.111

Sir:

This is in response to the March 27, 1995 Office Action in the above-identified application. Applicants submit concurrently herewith a Petition under 37 C.F.R. § 1.136(a) and the fee required under 37 C.F.R. § 1.17(c) to extend the time for response to that Office Action for a period of three months, up to and including September 27, 1995.

REMARKS

The Examiner has maintained her rejection of claims 3-5, 7, 10, 21 and 22 under 35 U.S.C. §§ 102 and 103 over European patent publication 382,526 ("EP-382,526") and United States patent 5,047,407.

All of the rejected claims are directed to the (-)-enantiomer of *cis*-2-hydroxymethyl-5-(cytosin-1'-yl)-1,3-oxathiolane. The Examiner argues that the prior art anticipates these claims. First, she contends that the art teaches racemic mixtures of the claimed compound as well as the existence of the